

#### REMARKS/ARGUMENTS

Claims 1-9, 11-22, and 34-39 are pending. Claims 10 and 23 have been cancelled without prejudice. Claims 24-33, which were previously withdrawn, have been cancelled without prejudice. Claims 1, 9, 13, 16, 20, and 34 have been amended. Reconsideration is respectfully requested. Applicant submits that the pending claims 1-9, 11-22, and 34-39 are patentable over the art of record and allowance is respectfully requested of claims 1-9, 11-22, and 34-39.

Claims 10 and 23 are rejected under 35 U.S.C. 112, second paragraph. In particular, these claims lack antecedent basis. Also, claim 16 is rejected due to a typo. Applicants have amended the claims to overcome the rejection.

Claims 1, 3-4, 11, 14, and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Kagan (U.S. Patent No. 7,152,122). Applicants respectfully submit that this rejection is moot in light of the claim amendments.

Anticipation requires that the identical invention must be shown in a single reference in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Amended claim 1 describes an interface to receive a packet; a cache to store context data for the packet; a Transmission Control Protocol (TCP) offload engine to process the packet using context data in the cache; and a Direct Memory Access (DMA) controller connected to the TCP offload engine, the DMA controller adapted to transfer data from host memory to a transfer queue and to store data from a header and data queue into host memory in parallel with the TCP offload engine processing the packet using the context data (e.g., Specification, page 23, paragraph 74, to page 30, paragraph 99; Figures 17B, 17C, 21, 24A, 24B, 24C, and 24D).

Applicants respectfully submit that the Kagan patent does not show the identical invention of a Transmission Control Protocol (TCP) offload engine to process the packet using context data in the cache; and a Direct Memory Access (DMA) controller connected to the TCP offload engine, the DMA controller adapted to transfer data from host memory to a transfer

queue and to store data from a header and data queue into host memory in parallel with the TCP offload engine processing the packet using the context data.

Therefore, the Kagan patent does not anticipate amended claim 1.

Amended claim 34 is not anticipated by the Kagan patent for at least the same reasons as were discussed with respect to claim 1.

Dependent claims 3-4, 11, 14 each incorporate the language of independent claim 1 and add additional novel elements. Therefore, dependent claims 3-4, 11, 14 are not anticipated by the Kagan patent for at least the same reasons as were discussed with respect to claims 3-4, 11, 14.

Claims 2, 5-10, 12-13, 15-33, and 35-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kagan in view of Boucher et al. (U.S. Patent No. 6,247,060). Applicants respectfully submit that this rejection is moot in light of the claim amendments.

The Boucher patent does not cure the defects of the Kagan patent with reference to claims 1 and 34. For example, the Boucher patent does not teach or suggest a Transmission Control Protocol (TCP) offload engine to process the packet using context data in the cache; and a Direct Memory Access (DMA) controller connected to the TCP offload engine, the DMA controller adapted to transfer data from host memory to a transfer queue and to store data from a header and data queue into host memory in parallel with the TCP offload engine processing the packet using the context data.

Moreover, the Boucher patent mentions a DMA unit (Col. 5, lines 1-47), but the DMA unit of the Boucher patent does not transfer and store data *in parallel with the TCP offload engine* processing the packet using the context data.

Thus, claims 1 and 34 are not taught or suggested by the Kagan or Boucher patents, either alone or in combination.

Dependent claims 2, 5-10, 12-13, 15-33, and 35-39 each incorporate the language of one of independent claims 1 and 34 and add additional novel elements. Therefore, dependent claims 2, 5-10, 12-13, 15-33, and 35-39 are not taught or suggested by the Kagan or Boucher patents, either alone or in combination, for at least the same reasons as were discussed with respect to claims 1 and 34.

Conclusion

Should any additional fees be required beyond those paid, please charge Deposit Account No. 50-0585.

The attorney of record invites the Examiner to contact her at (310) 553-7973 if the Examiner believes such contact would advance the prosecution of the case.

Dated: February 11, 2008

By:     /Janaki K. Davda/                    

Janaki K. Davda

Registration No. 40,684

Please direct all correspondences to:

Janaki K. Davda  
Konrad Raynes & Victor, LLP  
315 South Beverly Drive, Ste. 210  
Beverly Hills, CA 90212  
Tel: (310) 553-7973  
Fax: 310-556-7984